

***United States District Court***

**DISTRICT OF NEW HAMPSHIRE**

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**United States of America**

**v.**

**Ian Freeman**

**CASE NUMBER: 1:21-cr-000041**

**DEFENDANT’S OBJECTION TO GOVERNMENT’S MOTION FOR  
IMMUNITY FOR RENEE SPINELLA AND REQUEST FOR EXCULPATORY  
INFORMATION**

NOW COMES the Defendant, Ian Freeman, and Objects to the Government’s Amended Motion for Testimonial Immunity for Renee Spinella. The following is states in support of this objection:

There is no reason to grant Ms. Spinella immunity. Under 18 U.S.C. §6003, the government may request immunity when it is “necessary to the public interest.” 18 U.S.C. §6003(b)(1). The court’s role is to “scrutinize the record to ascertain that a request for immunity is, under the statute, jurisdictionally and procedurally well-founded.” United States v. Davis, 623 F.2d 188, 193 (1<sup>st</sup> Cir. 1980). The court cannot make such a determination without understanding why the government believes it is necessary to the public interest. Because the government’s motion does not put forward its reasoning as to how it determined that immunity was necessary to the public interest, this court should deny the government’s request.

Ms. Spinella entered a guilty plea to Bank Fraud. This court has sentenced her in that case. The government has not provided the defense with any indication of what testimony it anticipates Ms. Spinella will give that would require a grant of immunity. The defense requests

an offer of proof as to what Ms. Spinella's testimony would be that would require immunity so that it may supplement its objection. Additionally, as a grant of immunity would be giving Ms. Spinella favorable treatment, the defense is entitled all information about that favorable treatment. United States v. Giglio. 405 U.S. 150 (1972).

Finally, Ms. Spinella is entitled to counsel to advise her. The defense requests that a status of counsel hearing be held for Ms. Spinella.

Respectfully Submitted,

**December 1, 2022**

*Date*

/s/ Mark L Sisti

*Signature*

Mark L. Sisti

*Print Name*

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**CERTIFICATION**

I hereby certify that a copy of this objection was forwarded to Seth Aframe, Esq. and Georgiana MacDonald, Esq of the U.S. District Attorney's Office, electronically through EFC on December 1, 2022.

**December 1, 2022**

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*/s/ Mark L Sisti*

*Signature*

\_\_\_\_\_  
Mark L. Sisti

*Print Name*